

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HENDERSON-UNION RURAL ELECTRIC)	
COOPERATIVE CORPORATION, INC.)	
)	
_____)	CASE NO. 90-260
)	
ALLEGED FAILURE TO COMPLY WITH COMMISSION)	
REGULATIONS)	

ORDER TO SHOW CAUSE

Henderson-Union Rural Electric Cooperative Corporation, Inc. ("Henderson-Union"), a Kentucky corporation which engages in the distribution of electricity to the public for compensation for lights, heat, power, and other uses, and which was formed under KRS 279.010 to 279.220, is a utility subject to Commission jurisdiction. KRS 278.010; KRS 279.210.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated Commission regulation 807 KAR 5:041, Section 3, which requires electric utilities to maintain their plant and facilities in accordance with the standards of the National Electric Safety Code (1987 Edition). Similarly, the Commission promulgated Commission regulation 807 KAR 5:006, Section 24, which requires the utilities to submit a summary written report of any utility related accident within 7 days where such accident results in death or serious injury.

Commission Staff has submitted to the Commission an Electrical Utility Accident Investigation Report dated August 20, 1990, attached hereto and incorporated herein as Appendix A, which alleges:

1. On August 2, 1990, Larry Mattingly, an employee of Henderson-Union, was seriously injured while trimming tree limbs near an energized single-phase 14,400 volt primary line in Crittenden County, Kentucky. He suffered serious burns when a tree limb which he was holding came into contact with this primary line. At the time of the accident, he was not wearing the rubber gloves provided to him.

2. Mr. Mattingly's failure to wear rubber gloves while working near energized lines is a violation of National Electric Safety Code Section 42 (420H) which requires that employees use the personal protective equipment and devices provided for work.

3. Henderson-Union's safety rules require that all employees must use rubber gloves when working near energized lines.

4. At the time of the accident, Roger Adams, an employee of Henderson-Union, was supervising the tree trimming activities being performed by Mr. Mattingly.

5. Mr. Adams' failure to require Mr. Mattingly's use of rubber gloves while working near the energized line is a violation of National Electric Safety Code Section 42 (421B) which directs a foreman to "see that the safety rules and operating procedures are observed by the employees under the direction of the first line supervisor."

6. At the time of the accident, Messrs. Adams and Mattingly were employees of Henderson-Union and acting within the scope of their employment.

7. Henderson-Union submitted a summary written report of this accident to the Commission on August 16, 1990.

8. The probable violations of Commission regulations listed are:

a. 807 KAR 5:041, Section 3, because Henderson-Union allegedly failed to comply with the standards of the National Electric Safety Code.

b. 807 KAR 5:006, Section 24, because Henderson-Union allegedly failed to submit a summary written report of this accident within 7 days of the accident's occurrence.

The Commission, on its own motion, HEREBY ORDERS that:

1. Henderson-Union shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Electrical Utility Accident Investigation Report.

2. Henderson-Union shall appear on October 30, 1990 at 10:00 a.m., Eastern Standard Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky, for the purposes of presenting evidence concerning the incident which is the subject of the Electrical Utility Accident Investigation Report, specifically the alleged violations of Commission Regulations 807 KAR 5:041, Section 3, and 807 KAR 5:006, Section 24, and of showing cause, if any it can, why it

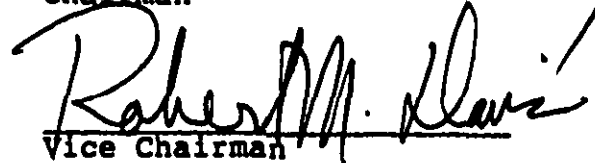
should not be subjected to the penalties of KRS 278.990 for its alleged failure to comply with Commission regulations.

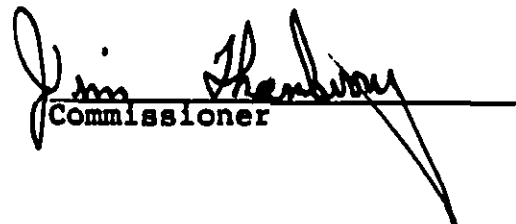
3. The Electrical Utility Accident Investigation Report dated August 20, 1990 is hereby made a part of the record of this case.

Done at Frankfort, Kentucky, this 17th day of September, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 90-260 DATED 9/17/90

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 8/20/90 SUBMITTED BY John W. Land

NAME OF UTILITY Henderson-Union RECC

ACCIDENT REPORTED BY John Newland - Director Engineering Operations

DATE AND TIME ACCIDENT OCCURRED 8/2/90 - 2:00 P.M. CST

DATE & TIME UTILITY LEARNED OF ACCIDENT 8/2/90 - Approx. 2:10 P.M. CST

DATE & TIME ACCIDENT REPORTED 8/3/90 - 4:25 P.M. EST

DATE OF ACCIDENT INVESTIGATION 8/6/90

DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 8/16/90

PERSONS ASSISTING IN THE INVESTIGATION Charles Tucker-District Manager
Marion Office and John Newland-Engineering Operations Henderson-
Union RECC employees.

NAME OF VICTIM(S) 1. Larry Mattingly SEX M AGE 35

FATAL No NAME OF EMPLOYER: _____

INJURIES Burns to left hand and soreness to palm of right hand.

2. _____ SEX _____ AGE _____

FATAL _____ NAME OF EMPLOYER: _____

INJURIES _____

3. _____ SEX _____ AGE _____

FATAL _____ NAME OF EMPLOYER: _____

INJURIES _____

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

LOCATION OF ACCIDENT SITE Martha Harper Farm in Crittenden County, Kentucky. Map location 36-59-9.

DESCRIPTION OF ACCIDENT Mr. Larry Mattingly was trimming a Hackberry tree on the farm of Mrs. Martha Harper. Mr. Mattingly was using a hydraulic saw to trim tree limbs which had grown into a single phase 14,400 volt primary line. While Mr. Mattingly was cutting a limb approximately eight feet long, this limb struck primary phase wire, while still in contact with Mr. Mattingly's hand. Mr. Mattingly was not wearing rubber gloves at the time of the accident.

SOURCE OF INFORMATION Interviews with Mr. Charles Tucker, District Manager, Mr. John Newland, Engineering Operations and Mr. Larry Mattingly, Lineman (victim), and an onsite investigation.

PROBABLE VIOLATIONS OF COMMISSION REGULATIONS (1) Mr. Larry Mattingly was not wearing rubber gloves at the time of contact. Reference 807 KAR 5:041, Section 3(1) Acceptable Standards 1987 NESC Section 42 (420 H) Tools and Protective Equipment. (2) Mr. Mattingly's foreman, Mr. Roger Adams, was present and in charge at the time of the accident but did not insure that all safety rules were being observed Reference 807 KAR 5:041, Section 3(1) Acceptable Standards 1987 NESC, Section 42 (421 B.1) Duties of a First Line Supervisor. (3) Summary Written Report was not submitted within 7 days of the accident. 807 KAR 5:006, Section 24.

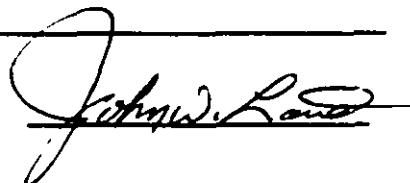
RECOMMENDATIONS (1) The Commission should consider action pursuant to KRS 278.990. (2) Henderson-Union should require all employees to review Henderson-Union's safety rules and should stress to its employees the importance of adhering to them at all times.

CORRECTIVE ACTION None

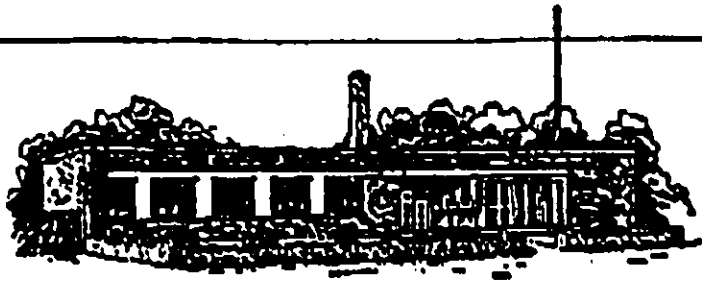
LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	<u>23'-4"</u>	<u>20'-0"</u>
Neutral conductor to ground elevation:	<u>19'-4"</u>	<u>18'-0"</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Phase conductor to structure:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to structure:	<u>N/A</u>	<u>N/A</u>
Communication conductor to structure:	<u>N/A</u>	<u>N/A</u>
B. AT LOWEST POINT OF SPAN		
Phase conductor to ground elevation:	<u>23'-4"</u>	<u>23'-4"</u>
Neutral conductor to ground elevation:	<u>19'-4"</u>	<u>18'-0"</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
C. SPAN LENGTH <u>Approximately 450'</u>		
Date the line or facilities were constructed: <u>Approximately 1974</u>		
Utility: <u>Henderson-Union RECC</u>		
Date: <u>8/6/90</u> Time <u>2:00 P.M. EST</u>		
Approximate temperature: <u>82 Degrees F</u>		
Measurements made by: <u>John Newland-Engineering Operations of Henderson-Union RECC and witnessed by John W. Land of Public Service Commission's Engineering Staff.</u>		

Submitted by:



HENDERSON-Union Rural Electric Cooperative Corporation



P.O. BOX 18 438 E. WYE
HENDERSON, KENTUCKY 42420-001
(502) 826-3991

FAX TRANSMITTAL SHEET

DATE:

PAGES TRANSMITTED (INCLUDING THIS SHEET):

3

TO: *John Land*

COMPANY: *PUBLIC SERVICE COMMISSION*

FAX NUMBER: *502 564 7279*

FROM: *John Newland*

COMPANY: *HENDERSON UNION RECC*

FAX NUMBER: *502-826-3999*

SUBJECT:

*Investigation Committee Report
Grid of Site showing requested information*

Rural Electric Cooperative Corporation

INTER-OFFICE CORRESPONDENCE

TO: John West

DATE: August 9, 1990

FROM: Accident Investigation Committee

COPIES:

SUBJECT: Employee Accident
Thursday, August 2, 1990

Who: Larry Mattingly, Lineman
also present Roger Adams, Foreman and Larry Thompson, Lineman

Where: HURE Map Number 36-59-9, property of Martha Harper

What: Mattingly had finished trimming limbs from a walnut tree in Mrs. Harper's yard and had moved to a hackberry tree to trim it. Adams and Thompson stayed at walnut tree to clean up limbs. Hackberry tree had been trimmed previously, but had grown up over the 14,400 volt primary wire. Mattingly was using hydraulic saw to trim away overgrowth. While holding to a limb that was approximately 6-8 feet long and 1½" in diameter he was cutting. His plan was to push the limb away from line as it was cut. A small breeze pushed the limb so that the saw was bound. The limb fell toward the primary wire. The limb struck the wire while still in contact with the tree and Mattingly's hand. He received a shock due to this. He was not wearing rubber gloves. He was kept overnight in Crittenden County Hospital for observation. He reported for work on Wednesday, August 8th.

Recommendations:

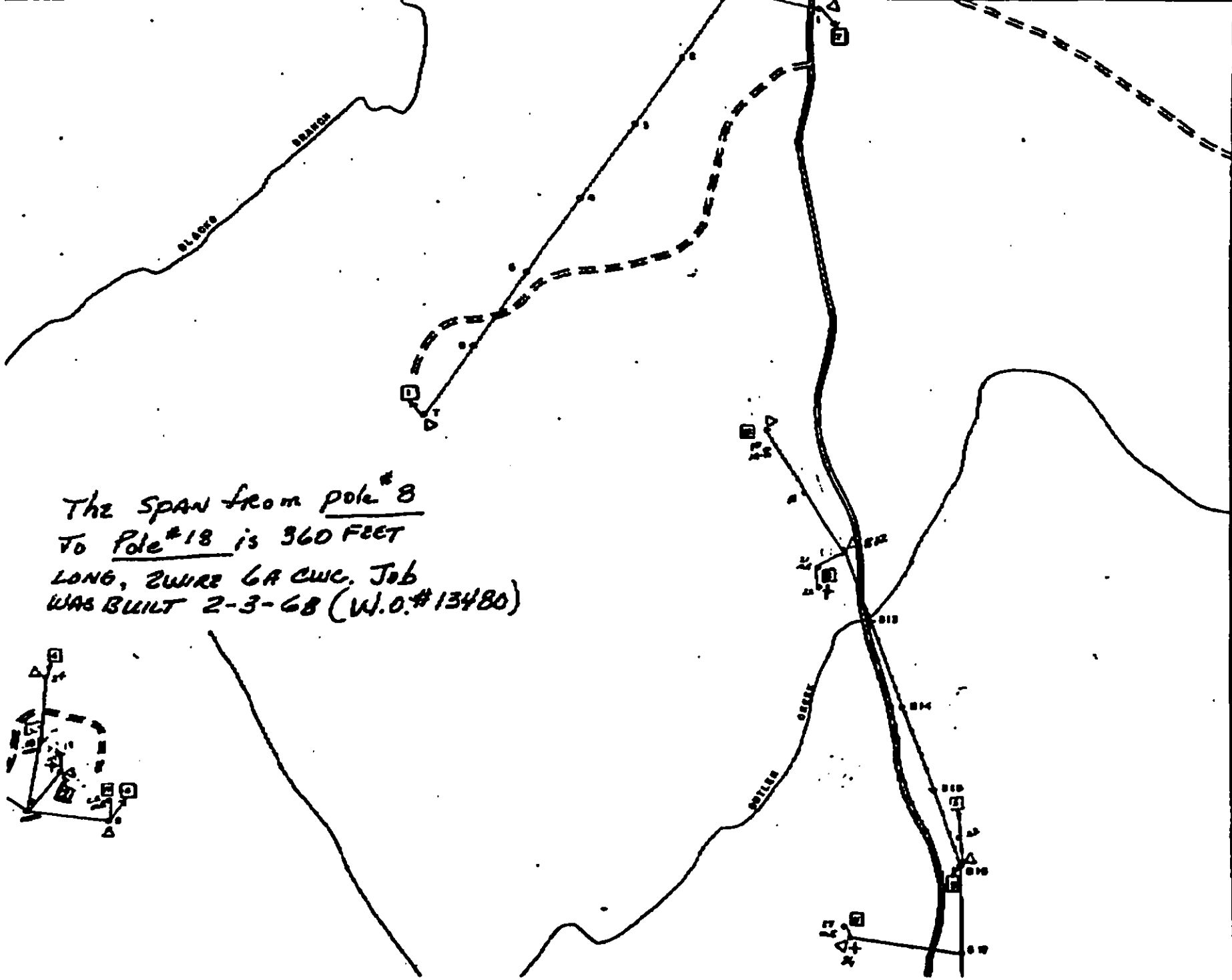
Larry Mattingly violated a safety rule by not wearing gloves. Roger Adams did not exercise his given responsibility as Foreman. We recommend both employees not be granted their Safety Points for the period. No other action is recommended.

Committee:

Hollis Jones, Buddy Tucker, John Newland

ab

SH. of	JOINT USE	RECC	B	RECC	RECC	DATE	LAST POLE NO.	17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27	SH. 1
SCALE: 1" = 500'			7				LAST CUST NO.	7, 8, 9, 10, 11, 12, 13, 14, 15, 16	OF 1



P. 3
8122
8.16.1998
FOR HENDERSON-ORTON

P.O. Box 307
Buckner, KY 40010-0307

In Kentucky (502) 222-1797
Out of State 1 (800) 321-7504

DELTA MOBILE TESTING, INC.

T-35

DIELECTRIC TEST REPORT

Customer: Henderson - Union RECC
Model #: 805-45 Holan Technician: Heeman LaDuke
Serial #: 87-25292 Temperature: 70°
Truck #: 35 Unit's Condition: DRY
Report #: 2 Date: 9-13-89

TEST AREAS	APPLIED VOLTAGE K.V.A.C.	TIME IN SECONDS	LEAKAGE m.A.	COMMENTS
ARTICULATING BOOM				ANSI A92.2-1979
Upper Boom <input checked="" type="checkbox"/>	69	180	.38	Passed
Lower Boom Insert <input checked="" type="checkbox"/>	50	300	.54	Passed
Total Unit <input checked="" type="checkbox"/> Basket Shaft To Chassis	69	180	.36	Passed

EXTENDABLE BOOM				
Total Unit <input type="checkbox"/> Basket Shaft To Chassis				

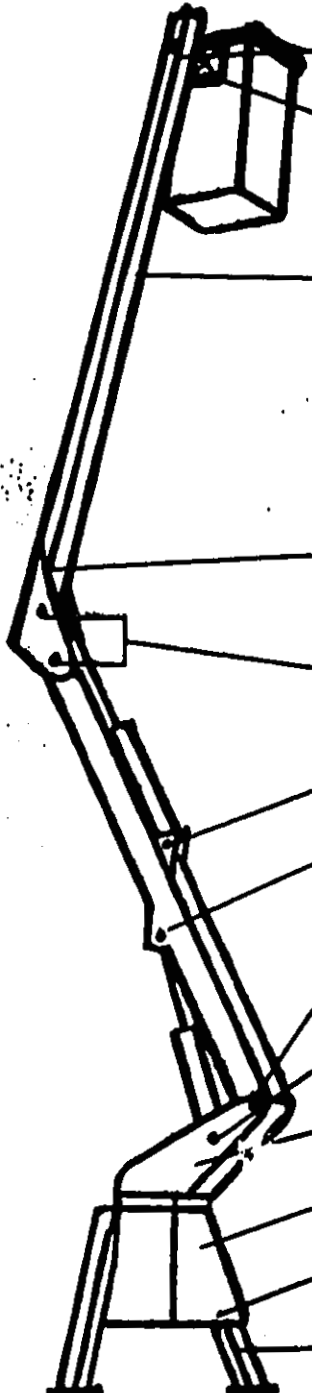
Platform Liner <input checked="" type="checkbox"/>	35	60	Passed	Pass
<input checked="" type="checkbox"/>	35	60	Passed	RE 2129 F
Hydraulic Oil <input checked="" type="checkbox"/> Pass				
21 KVAC Minimum <input type="checkbox"/> Fail				

These are Tests—Not a Guarantee!

DELTA MOBILE TESTING, INC.

BUCKET TEST REPORT

Customer: Henderson - Union RECC Date: 9-13-89 Report No.: 2
Model: 805-45 Truck No.: 35
Serial No.: 87-25292 Technician: Herman LaDuke



PLATFORM PIN Could not be checked

PLATFORM BRACKET OK

UPPER CONTROLS OK

BOOM EXTERIOR CONDITION OK

ELECTRICAL HAZARD DECALS OK

ELBOW WELDS OK - Lubricate chain

ELBOW PINS OK

CYLINDER BLOCK & PIN OK

CYLINDER BLOCK & PIN OK

LOWER CONTROLS OK

MAIN BOOM PIN OK

CYLINDER BLOCK & PIN OK

TURRET WELDS OK

LOWER PEDESTAL WELDS OK - Remove cover and
grease rotation motor

ANCHOR BOLTS OK

OUTRIGGER WELDS OK

Comments: _____

TRUCK AND EQUIPMENT SAFETY LOG

Heardman Bros. R.E.C.C. TRUCK NO. 85
INSPECTED BY L.M. DATE 7-9-90
CHECKED BY Curt INSTRUCTOR DATE 7-10-90 ACCEPTED BY Curt MANAGEMENT

CHECK EACH ITEM: S - SATISFACTORY Q - REPAIRS NEEDED
X - REPAIRS MADE NA - NON APPLICABLE

COPY

MOTOR VEHICLE

HOUSEKEEPING		STEERING GEAR	S	FIRE EXT.	S
IDENTIFICATION SIGN	NA	HORN	S	(3) FLARES	Q
LIGHTS, HEAD	NA	WINDOW GLASS	S	(3) FLAGS	S
TAIL	NA	WINDSHIELD	S	(2) DANGER SIGNALS	Q
STOP	NA	WINDSHIELD WIPER	S	FIRST AID KIT	S
SPOT	NA	MUFFLER & EXHAUST PIPE	S	CONDITION:	S
CLEARANCE	S	BODY CONDITION	S		
DIRECTIONAL REFLECTORS	S	FENDERS	S	T. HITCH	S
BRAKES, FOOT	S	TRUCK BED	S	WINCH	S
BRAKES, HAND	S	POLE PERMIT	NA	WINCH LINE	S
TIRE, R. F.	S	REGISTRATION CARD	NA	BOOM	S
L. F.	S			RADIO	S
R. R.	S				
L. R.	NA				
SPARE	NA				
MIRROR, REAR VIEW	S				

TOOLS AND EQUIPMENT

(3) PROTECTIVE GRS.	S	HAND LINE	S	POWER SAWS	S
RUBBER GLOVES (EXTRA)	S	BLOCK & TACKLE	S	SHOVELS	S
HOT STICKS	S	SLINGS	S	SPOONS	NA
HOT LINE CUTTERS	S	MECH. HOISTS	S	DIGGER	NA
TRUCK GROUNDS	S	GRIPS	S	TAMPS	NA
INSULATED JUMPERS	S	CROW BARS	NA	PIKES	S
LINE GUARDS	S	FROST BARS	NA	CANT HOOK	S
PIN HOODS	S	ANCHOR BUSTER	NA	CARRYING HOOKS	NA
INSULATOR GUARDS	S	ANCHOR AUGER	NA	BOLT CUTTERS	S
TRANS. GIN	S	AXES & AXE GUARDS	NA	POWER CUTTERS	NA
LADDER	Q	MAULS	NA	POWER UNIT	S
TREE PRUNER	S	SAWS & SAW GUARDS	S	ELECTRIC CORDS	S
ROPES	S	LOG SAW	NA	BLASTING EQUIPMENT	NA
BULL LINE	S				

SAFETY MEETING
HENDERSON
~~HARRIS~~ OFFICE 6-20-90
~~5-17-90~~

NAME	SIGNATURE
ROGER ADAMS	Roger Adams
FRANCIS ALVEY	
WILLIE HEIDRICH	Willie Heidrich
DON LANHAM	Don Lanham
LARRY MATTINGLY	
DONNIE PHILLIPS	
JIMMY STEVENS	
CHARLIE THOMAS	Charlie Thomas
JERRY THOMPSON	Jerry Thompson
LARRY THOMPSON	Larry Thompson
BILL TOWERY	Bill Towery
BUDDY TUCKER	

Changed Rubble on 6-20-90

UNITED UTILITY SUPPLY RUBBER GOODS PACKING SLIP

CO-OP NAME & NO. HENDERSON-UNION R.E.C.C. ID NO. 55
 ADDRESS P.O. DRAWER 18 SOUTH Y
 CITY HENDERSON STATE & ZIP KY. 42420
 PHONE (502-) 826-3991 Page 1 of 1

SHIP TO:
HENDERSON-UNION R.E.C.C.
703 S. MAIN ST. 404
MARION, KY. 42064

ID No.	Voltage Rating	Size & Length	Style of Rubber Goods (✓ one)								(This section for test lab use only)					
			Glove	Mitten	Hose	Blanket		Sleeves Insulating Cover	Other	Test Result		Reason for Failure				
						Split	Solid			Pass (✓)	Fail (x)	Visual	Puncture	Leakage		
243	20,000	9-16	✓													
117	20,000	9-16	✓													
58	20,000	9½-16	✓													
44	20,000	10-16	✓													
87	20,000	10-16	✓													
257	20,000	10-16	✓													
282	20,000	10-16	✓													
37	20,000	10-16	✓													
274	20,000	10-16	✓													
253	20,000	10-16	✓													
75	20,000	10-16	✓													
206	20,000	11-16	✓													
278	30,000	10-16	✓													
258	30,000	10-16	✓													
241	30,000	11-16	✓													
	30,000	REG.								✓						
	30,000	LARGE								✓						
PICKED UP. 1-22-90 U.U.S.																

Replace bad pair of gloves
 Do not replace gloves
 Put brass head in puncture

☐ Mark bad gloves in chalk
☐ Cut out fingers of bad glove
☒ Other REPLACE SLEEVES
WITH WHITE RUBBER
SLEEVES ONLY.



UNITED UTILITY SUPPLY
 COOPERATIVE, INC.
 4515 BISHOP LANE
 LOUISVILLE, KENTUCKY 40218
 PHONE 502/459 4011
 800/292-4574 INSIDE KY
 800/626-2460 OUTSIDE KY

White copy — retained for records by test lab
 Pink copy — returned to co-op for records
 Yellow copy — retained for records by co-op

ATTENDING - 4

[illegible]

ADAMS

[illegible]

PERSONAL TOOLS

J. THOMPSON

[illegible]

TOWERY

[illegible]